

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KHA'SUN CREATOR ALLAH,

Plaintiff,

v.

9:08-CV-1008

**TIM KEMP, Office of Mental Health Unit Chief,
Upstate Correctional Facility; WAYNE CROSIER,
Mental Health Social Worker, Upstate Correctional
Facility,**

Defendants.

APPEARANCES:

KHA'SUN CREATOR ALLAH
99-A-2660
Southport Correctional Facility
P.O. Box 2000
Pine City, NY 14871
Plaintiff, *Pro se*

HON. ANDREW M. CUOMO
Attorney General for the State of New York
The Capitol
Albany, NY 12224
Counsel for Defendants

OF COUNSEL:

CHARLES J. QUACKENBUSH, ESQ.

W NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 25th day of February 2010. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-

Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Defendants' motion for judgment on the pleadings (Dkt. No. 14) is denied.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: March 18, 2010
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge

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